

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

Bail Appl..No. 6914 of 2007()

CMP.1742/2007 of JUDL.MAG. OF FIRST CLASS, PAYYOLI
CRIME NO.363/07 OF PAYYOLI POLICE STATION
.....

: PETITIONER

PRABHAKARAN NAMBI
S/O.KELAPPAN, AGED 60 YEARS
THEVAROLY HOUSE, IDINHAKADAVU,
THURAYUR AMSOM DESOM, KOZHIKODE DT.

BY ADV. SRI.P.SANJAY
SRI.M.MUHAMMED SHAFI

RESPONDENTS: RESPONDENT

STATE OF KERALA REPD.BY THE STATION
HOUSE OFFICER, PAYYOLI POLICE STATION THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

B.A.No.6914 of 2007

Dated this the 14th day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 16 litres of arrack on 21.10.07. He was arrested and continues in custody from that date. The petitioner has criminal antecedents also. Another crime under the Kerala Abkari Act has been registered against the petitioner, it is not disputed.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 24.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-